WPSB 1161 OF 2002

Hon'ble M.M. Ghildiyal, J.

Heard learned counsel for the parties.

By means of this petition, petitioner has prayed for the following reliefs:-

1. Issue a writ, order or direction in the nature of mandamus directing and commanding the respondents to consider the appointment of the petitioner on Class IV post according to Government Order dated 5.5.1984.

2. Issue any suitable writ, order or direction, as this Hon'ble Court may deem fit and proper in the circumstances of the case.

3. Award the cost of the writ petition to the petitioner.

Respondents have filed the supplementary counter affidavit. In para 2 of the supplementary counter affidavit, it is stated as under:-

"That this Hon'ble Court was pleased to grant interim relief on 04.09.2002 whereby the respondents were directed to consider the case of the petitioner in Dying-in-Harness Rules meanwhile. In compliance of the order passed by this Hon'ble Court respondents have considered the representation of the petitioner and decided the same on 1st July, 2003 whereby the petitioner has been given appointment under the provisions of the U.P. Dying-in-Harness Rule 1974 on the post of Class IV employee in pursuance of the order passed by the Director General of Police. The respondent no. 1, the Senior Superintendent of Police, Dehradun had issued appointment letter to the petitioner on July 21st, 2003."

Since the grievance of the petitioner has already been redressed and has already been given appointment, the writ petition has become infructuous and as such the writ petition is dismissed as infructuous. All the pending applications stand disposed of.

(M.M.G.,J.)

29.11.2007

VKS